

PATENT

Case: PC32145A

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF  
Bove, Susan

SERIAL NO: 10/588,911

FILED: August 09, 2006

GROUP ART UNIT: 1646

EXAMINER: Mertz, Perma

DATE: September 15, 2009

Confirmation No. 8818

TITLE: Methods For Treating Osteoarthritis With IL-6 Antagonists

NOTICE OF APPEAL FROM THE EXAMINER TO THE  
BOARD OF PATENT APPEALS AND INTERFERENCES

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision dated July 15, 2009, finally rejecting Claims 1-2, 6-12 and the Advisory Action dated September 29, 2009 in the above-referenced application. In connection with this notice, please charge the sum required to Deposit Account No. 16-1445.

Respectfully Submitted



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<b>NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES</b>		Docket Number (Optional)						
		PC32145A						
<p>I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] <u>January 15, 2010</u> on</p> <p>Signature </p> <p>Typed or printed name <u>S. Christopher Bauer</u></p>								
<p>In re Application of <u>Bove, Susan</u></p> <table border="1"> <tr> <td>Application Number <u>10/588,911</u></td> <td>Filed <u>August 9, 2006</u></td> </tr> <tr> <td colspan="2">For Methods For Treating Osteoarthritis With IL-6 Antagonists</td> </tr> <tr> <td>Art Unit <u>1646</u></td> <td>Examiner <u>Mertz, Perma</u></td> </tr> </table>			Application Number <u>10/588,911</u>	Filed <u>August 9, 2006</u>	For Methods For Treating Osteoarthritis With IL-6 Antagonists		Art Unit <u>1646</u>	Examiner <u>Mertz, Perma</u>
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Art Unit <u>1646</u>	Examiner <u>Mertz, Perma</u>							

Applicant hereby **appeals** to the Board of Patent Appeals and Interferences from the last decision of the examiner.

The fee for this Notice of Appeal is (37 CFR 41.20(b)(1))

\$ 540.00

Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: \$ \_\_\_\_\_

A check in the amount of the fee is enclosed.

Payment by credit card. Form PTO-2038 is attached.

The Director has already been authorized to charge fees in this application to a Deposit Account.

The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 16-1445.

A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

I am the

applicant/inventor.

assignee of record of the entire interest.  
See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed.  
(Form PTO/SB/96)

attorney or agent of record. 42,305  
Registration number \_\_\_\_\_.

attorney or agent acting under 37 CFR 1.34.  
Registration number if acting under 37 CFR 1.34. \_\_\_\_\_



Signature

S. Christopher Bauer

Typed or printed name

314-274-6257

Telephone number

January 15, 2010

Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required.  
Submit multiple forms if more than one signature is required, see below\*.

\*Total of \_\_\_\_\_ forms are submitted.

This collection of information is required by 37 CFR 41.31. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11, 1.14 and 41.6. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.